

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:	
U S WEST COMMUNICATIONS, INC., n/k/a QWEST CORPORATION	DOCKET NO. INU-00-2

**CONDITIONAL STATEMENT REGARDING
MARCH 19, 2001 REPORT**

(Issued June 22 2001)

On February 10, 2000, the Utilities Board (Board) issued an order initiating an investigation relating to the possible future entry of U S WEST Communications, Inc., n/k/a Qwest Corporation (Qwest), into the interLATA market. The investigation was identified as Docket No. INU-00-2.

In a filing dated May 4, 2000, Qwest encouraged the Board to consider a multi-state process for purposes of its review of track A (competition issues)¹, various aspects of each item on the 14-point competitive checklist, § 272 (separate subsidiary) issues, and public interest considerations. The Board considered the concept of a multi-state process for purposes of its review of a Qwest § 271 application, sought comment, and subsequently issued an order dated August 10, 2000, indicating that its initial review of Qwest's compliance with the requirements of 47 U.S.C. § 271 would be through participation in the multi-state workshop process

¹ See 47 U.S.C. § 271(c)(1)(A).

with the Idaho Public Utilities Commission, North Dakota Public Service Commission, Montana Public Service Commission, and the Utah Public Service Commission. Since the time of that order, the New Mexico Public Regulation Commission has also joined in the workshop process.

As directed in the August 10, 2000, order, a report was filed with the Board on March 19, 2001, addressing issues associated with the following checklist items:

- Item 3: Access to Poles, Ducts, Conduits, and Rights of Way
- Item 7: 911/E911, Directory Assistance, Operator Services
- Item 8: Directory Listings
- Item 9: Number Administration
- Item 10: Call-Related Databases and Signaling
- Item 12: Local Dialing Parity

These checklist items were considered to be less controversial, and thus were treated differently from all of the other checklist items in that the entire record on these issues consists of written testimony and briefs from interested participants. No actual workshop time was devoted to these issues.

Qwest filed written testimony on these six checklist items on September 5, 2000. AT&T Communications of the Midwest, Inc., WorldCom, Inc., and McLeodUSA Telecommunications Services, Inc., filed responsive testimony or comments in October 2000. Rebuttal testimony was filed November 5, 2000, by Qwest. Following briefs and reply briefs, a report was filed March 19, 2001, separately discussing those issues initially identified by participants but apparently resolved during the process,

and those issues that remained subject to disagreement (or where it was not clear that agreement had been reached). For those issues that remained subject to disagreement, the report summarized the participants' positions and provided recommended resolutions.²

For those issues where agreement has been reached, the Board is prepared to indicate at this time its conclusion that Qwest has conditionally satisfied the checklist requirements in the areas identified by the March 19, 2001, report. To the extent that some of these issues are to be further evaluated in the Regional Oversight Committee's (ROC) Operations Support Systems (OSS) test, or some other proceeding, the Board will incorporate that evidence into its final recommendation to the FCC as to whether Qwest has fully complied with a checklist requirement. To the extent that an issue requires performance of some duty or activity on Qwest's part, Qwest will need to demonstrate that it adequately performs as expected in order for the Board to make a positive recommendation to the Federal Communications Commission (FCC).

After reviewing the March 19, 2001, report, the testimony, and briefs filed by those interested participants, the Board finds that no further proceedings are necessary to reach a conditional determination on those issues that remain subject to disagreement in this group of checklist items. The Board will adopt each of the recommended solutions to each of the issues that remained subject to disagreement

² This report was prepared by the "Outside Consultant," The Liberty Consulting Group, which has been retained by the state commissions collectively.

in the report filed March 19, 2001. Assuming Qwest incorporates those recommendations, verbatim, the Board is prepared to indicate at this time its conclusion that Qwest has conditionally satisfied those checklist requirements as well, subject to the same limitations noted in the previous paragraph related to other proceedings and processes.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 22nd day of June, 2001.